

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

BILL LIETZKE,)	
)	
Plaintiff,)	
)	
v.)	2:07-cv-588-ID
)	
CITY OF MONTGOMERY, <i>et. al</i> ,)	
)	
Defendants.)	

ORDER ON MOTION

Upon referral of this case for action on all pretrial matters and for recommendation as may be appropriate (Doc. #4), the undersigned Magistrate Judge considers Plaintiff's Motion to Proceed In forma Pauperis (Doc. #2). The Court wishes Plaintiff to understand *fully* the limited nature of being allowed to proceed *in forma pauperis*. This status does permit Plaintiff to *commence* this lawsuit without *prepayment* of fees and court costs, but it does not permit Plaintiff to maintain the lawsuit without incurring any personal expenses.

Plaintiff should understand that he *may* incur expenses as a result of the prosecution of this case, and there is no provision for the court's payment of those expenses. For example, in the event of a trial, Plaintiff may compel the attendance of witnesses through subpoena *only* by tendering to each witness payment of a one-day witness fee of \$40, plus mileage. Additionally, court costs, in varying amounts, can be very substantial, and they are normally assessed against the losing party. This means that a plaintiff who loses a case may be charged with, and obligated to pay, *all* court costs, even though plaintiff is proceeding *in forma pauperis*.

Having advised Plaintiff of the possible expense of litigation, it is

ORDERED that the Motion to Proceed In Forma Pauperis (Doc. #2) is **GRANTED**.

It is further

ORDERED that the Clerk of Court is to serve all Defendants with process.

Done this 28th day of June, 2007.

s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE